

1 BRAD BRIAN (State Bar No. 079001)
brad.brian@mto.com
2 GREGORY J. WEINGART (State Bar No. 157997)
gregory.weingart@mto.com
3 SUSAN E. NASH (State Bar No. 101837)
susan.nash@mto.com
4 E. MARTIN ESTRADA (State Bar No. 223802)
martin.estrada@mto.com
5 355 South Grand Avenue
Thirty-Fifth Floor
6 Los Angeles, California 90071-1560
Telephone: (213) 683-9100
7 Facsimile: (213) 687-3702

8 *Attorneys for Defendant LG Electronics, Inc.*

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

14 In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 3:07-md-05944-JST (N.D.
Cal)

MDL No. 1917

16 This Document Relates to:

17 *Sears, Roebuck and Co. and Kmart Corp. v.*
18 *Chunghwa Picture Tubes, Ltd.*, No. 11-cv-
05514

**DECLARATION OF CATHLEEN H.
HARTGE IN SUPPORT OF LG
ELECTRONICS, INC.'S REQUEST FOR
LEAVE TO FILE ADDITIONAL
MOTIONS**

Judge: Hon. Jon S. Tigar
Court: Courtroom 9, 19th Floor

1 I, Cathleen H. Hartge, hereby declare:

2 1. I am an attorney with the law firm Munger, Tolles & Olson LLP, counsel of record
3 for Defendant LG Electronics, Inc. ("LGE"), in the above entitled action. I am licensed to practice
4 law in the State of California. I make this declaration based on my personal knowledge and, if
5 called upon as a witness, could and would testify competently as to the matters set forth below. I
6 submit this declaration in support of LGE's Request for Leave to File Additional Motions.

7 2. LGE has met and conferred with Plaintiffs Sears, Roebuck and Co. and Kmart
8 Corporation ("Sears/Kmart") regarding its intent to file an administrative motion for leave to file
9 additional motions pertinent to Case No. 11-cv-05514 ("LGE's Request for Leave"), in which
10 Sears/Kmart are the only remaining plaintiffs, and LGE is the only remaining defendant.
11 Sears/Kmart declined to stipulate to LGE's Request for Leave.

12 3. LGE has had numerous discussions with Sears/Kmart as to the substantive relief
13 that LGE would request in Motion Nos. 3 and 4 in LGE's Request for Leave (Motion to Require
14 Sears/Kmart to Specify Damages Attributable to Purchases from Specific Vendors and to Clarify
15 Damages Theories; Motion to Admit Evidence of Other Lawsuits and Settlements) in an effort to
16 avoid requesting leave to file these two motions. LGE and Sears/Kmart are working towards
17 stipulations that would render the relief that would be requested in those motions unnecessary.
18 Sears/Kmart's counsel have indicated that after they have had an opportunity to confer with their
19 clients regarding the negotiated language of those stipulations, they will inform the Court of
20 Sears/Kmart's position on these issues by their deadline to respond to LGE's Request for Leave.

21 I declare under penalty of perjury under the laws of California that the foregoing is true
22 and correct. Executed on the 12th day of April, 2016 in San Francisco, California.

23
24 By: /s/ Cathleen H. Hartge
25 Cathleen H. Hartge
26
27
28